



Department of Planning, Building and Code Enforcement  
200 E. Santa Clara Street  
San José, California 95113-1905

Hearing Date/Agenda Number:  
P.C. 11/08/06 Item: 7b5

File Number:  
GP05-08-01F

Council District and SNI Area:  
8

Major Thoroughfares Map Number:  
101

Assessor's Parcel Number(s):  
660-21-022 and 660-21-023 (portion)

Project Manager: John W. Baty

## GENERAL PLAN REPORT

2006 Fall Hearing

### PROJECT DESCRIPTION:

General Plan amendment request to change the Land Use/Transportation Diagram designation from Public/Quasi-Public to Mixed Use with no Underlying Land Use Designation

**LOCATION:** North side of Yerba Buena Road, 350 feet easterly of San Felipe Road

**ACREAGE:** 27

### APPLICANT/OWNER:

San Jose Evergreen Community College District

### GENERAL PLAN LAND USE / TRANSPORTATION DIAGRAM DESIGNATION:

Existing Designation: Public/Quasi-Public

Proposed Designation: Mixed-Use with No Underlying Land Use Designation

### EXISTING ZONING DISTRICT(S): R-1-5 Residence

### SURROUNDING LAND USES AND GENERAL PLAN DESIGNATION(S):

North: Single-Family Detached Residential / Low Density Residential (5 DU/AC)

South: Commercial and Public Park / Neighborhood Community Commercial and Public Park and Open Space

East: Educational (Evergreen Valley College) / Public/Quasi-Public

West: Single-Family Detached Residential and Senior Housing / Low Density Residential (5 DU/AC) and Medium High Density Residential (12-25 DU/AC)

### ENVIRONMENTAL REVIEW STATUS:

Evergreen•East Hills Vision Strategy Environmental Impact Report pending certification on November 8, 2006.

### PLANNING STAFF RECOMMENDATION:

Mixed Use with No Underlying Land Use Designation  
High Density Residential (25-50 DU/AC) for between 375 and 500 dwelling units; General Commercial for up to 95,000 square feet of office and up to 100,000 square feet of commercial (no supermarket >50,000sf); 2 acres of Public/Quasi-Public for a public library

Approved by:

Date:

*Stanley Ketter*  
Nov. 2, 2006

### PLANNING COMMISSION RECOMMENDATION:

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**CITY COUNCIL ACTION:**

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**CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:**

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**GENERAL CORRESPONDENCE:**

See attachments to the Evergreen Development Policy Staff Report for general correspondence.

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**ANALYSIS AND RECOMMENDATIONS:****RECOMMENDATION**

Planning staff recommends the Planning Commission forward to the City Council the following recommendation:

Amend the General Plan Land Use/Transportation Diagram on the Evergreen Valley College site as follows:

- Mixed Use with No Underlying Land Use Designation, incorporating the following:  
High Density Residential (25-50 DU/AC) for between 375 and 500 dwelling units; General Commercial for up to 95,000 square feet of office and up to 100,000 square feet of commercial (no supermarket greater than 50,000 square feet); 2 acres of Public/Quasi-Public for a public library

Should the Planning Commission not support the proposed Evergreen Development Policy update and prefer that these development opportunities be considered as part of the upcoming General Plan update, then the Planning Commission should forward to the City Council a recommendation of no change to the General Plan.

**PROJECT DESCRIPTION**

The proposed General Plan amendment on the Evergreen Valley College site is being considered as part of the larger Evergreen•East Hills Vision Strategy (EEHVS) project. The EEHVS project includes a proposed update to the Evergreen Development Policy (EDP), proposed General Plan Land Use/Transportation Diagram changes on four site, Evergreen Valley College: subject amendment and three other sites (Arcadia: GP05-08-01A; Pleasant Hills Golf Course: GP05-08-01B; and Campus Industrial: GP05-08-01C, D and E), and proposed General Plan text changes. Individual staff reports for each amendment have been prepared, which include additional project descriptions, background information and analysis.

### General Plan Amendment (GP05-08-01F)

This report analyzes the General Plan amendment proposing conversion of an approximately 27-acre portion of the Evergreen Valley College Campus designated Public/Quasi-Public.

The EEHVS Task Force process resulted in the following alternative proposals for a specific mix of uses and ranges of development intensity.

#### **Developer Proposal**

- High Density Residential (25-50 DU/AC) for up to 500 dwelling units
- General Commercial, up to 100,000 square feet
- Office, up to 95,000 square feet
- Public/Quasi-Public, 0 to 2 acres

#### **Task Force Alternative Proposal**

- Medium High Density Residential (12-25 DU/AC) and High Density Residential (25-50 DU/AC) for up to 400 dwelling units
- General Commercial or Office, up to 100,000 square feet
- Public/Quasi Public, 2 acres for a public library

#### **Staff Recommendation**

- High Density Residential (25-50 DU/AC) for between 375 and 500 dwelling units
- General Commercial, up to 100,000 square feet (no supermarket >50,000sf)
- Office, up to 95,000 square feet
- Public/Quasi-Public, 2 acres for a public library

Both alternative proposals and staff's recommendation would apply the Mixed Use with No Underlying Land Use Designation to the site as a vehicle for allowing the parameters of development to be clearly defined while allowing a certain degree of flexibility in how the development is ultimately implemented. This designation would be applied to whatever final mix of uses is approved by the City Council. When the Mixed Use with No Underlying Land Use Designation is proposed, a description of the proposed types of uses and intensity ranges to be allowed on the site is included in a General Plan text amendment for inclusion in the Mixed Use Inventory, Appendix F of the General Plan.

## **BACKGROUND**

### **Evergreen•East Hills Vision Strategy**

The subject site is located within the Evergreen Development Policy area. The Evergreen Development Policy (i.e., traffic policy) is currently being proposed to be updated to allow additional development beyond what is currently allowed under existing policy. The policy must be revised in order to allow this General Plan Amendment and Text Amendment to move forward.

The purpose of the Evergreen•East Hills Vision Strategy (EEHVS) planning effort is to guide infill development in the Evergreen and East Hills area to create housing in balance with transportation improvements and community amenities, with the overall goal of enhancing the quality of life in the area. Inherent in this complex balance of new development and improvements are a series of policy

trade-offs such as residential densities, industrial conversion and affordable housing.

As mentioned above, this proposed General Plan Amendment is being considered as part of the overall EEHVS project, which includes proposed General Plan Amendments on three other sites and a package of transportation improvements and community amenities.

For more background on the EEHVS project, including discussion related to the delicate balance between proposed development and the ability to fund required transportation improvements and community amenities, see the Evergreen Development Policy staff report.

### **Site and Surrounding Uses**

The subject site is an approximately 27-acre portion of the 165-acre Evergreen Valley College campus, and surrounds the existing commercial development on the northeast corner of Yerba Buena and San Felipe Roads. The San José/Evergreen Community College District offices and a criminal justice training center occupy a portion of the 27-acre site.

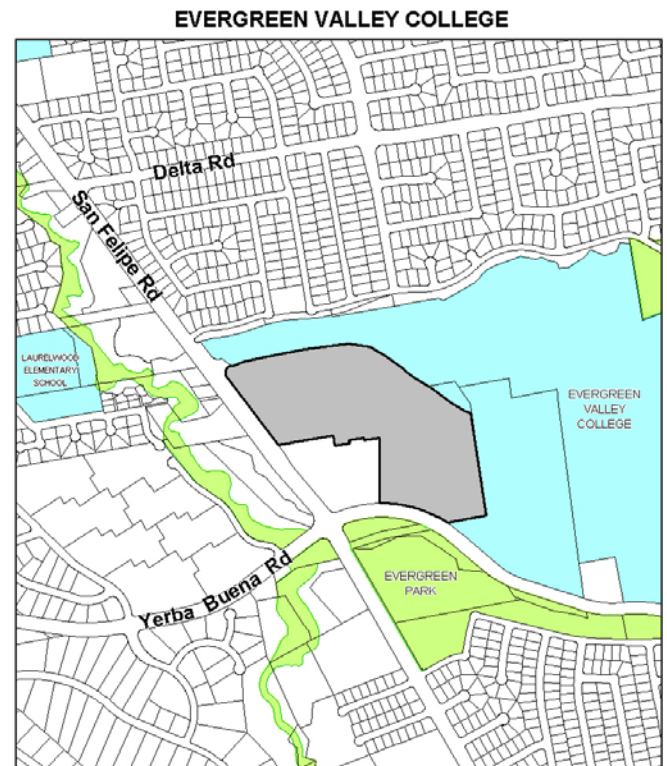
The site has frontage along both Yerba Buena and San Felipe Roads and is directly adjacent to the Evergreen Valley College campus to the east. The General Plan designates San Felipe Road as an Arterial and Yerba Buena Road as a four lane Major Collector.

The existing land uses and General Plan Designations surrounding the site include: single-family detached residential across Evergreen Creek (Low Density Residential 5.0 DU/AC) to the north; Evergreen Park (Public Park and Open Space) to the south; Evergreen Valley College (Public/Quasi-Public) to the east; and single-family detached and senior residential (Low Density Residential 5.0 DU/AC and Medium High Density Residential 12-25 DU/AC).

As referenced above the subject site currently has a designation of Public/Quasi-Public. This designation is intended primarily for public uses such as schools, colleges, libraries, fire stations and governmental offices. Public/Quasi Public lands may also be used by some private entities, including public utilities and churches.

## **ANALYSIS**

The Analysis section of the staff report addresses the following: 1) a comparison of the key distinctions between the alternate proposals and Staff Recommendation, and 2) the key policy issues raised by the proposed change of the General Plan from the existing Public/Quasi-Public designation to a range of residential, commercial, and public/quasi-public uses, as described in the alternate proposals from the Developer Group, the Task Force and the Staff Recommendation.



### Comparison of Alternate Proposals and Staff Recommendation

Land Use Categories	Developer Proposal	Task Force Proposal	Staff Recommendation
Number of Units	up to 500	up to 400	375 to 500
Commercial/Office	195,000 sf	100,000 sf	195,000 sf (no supermkt.)
Public/Quasi-Public (Library)	0 to 2 acres	0 to 2 acres	2 acres

The developer's proposal and staff's recommendation are very similar, with a minor difference in the provision of Public/Quasi Public land. Staff's recommendation also proposes a minimum number of dwelling units. The Task Force proposal would set the maximum number of dwelling units at 400 and cap the total commercial and office square footage at 100,000. The developer's proposal and staff's recommendation include up to 100,000 square feet of commercial and up to 95,000 square feet of office.

Staff's recommendation of a minimum number of dwelling units would ensure that residential would be a major component of development of the site. Staff's recommendation would also set aside 2 acres of the site as Public/Quasi-Public land for the planned Southeast Branch Library. Allowing up to 95,000 square feet of office in addition to the commercial square footage would support the community's identified need for professional office space in the Evergreen area and could offer replacement office square footage for the college district offices and criminal justice training center that currently exist on the site.

Staff's recommendation also includes a proposed restriction against the development of a supermarket greater than 50,000 square feet as a part of the 100,000 square feet of commercial land use. The existing shopping center on the corner of San Felipe and Yerba Buena Roads is successful and would provide the critical mass for additional commercial tenants without the need for a supermarket as an anchor.

The Task Force has also included an alternative to their proposal that would retain the 27-acre site as Public/Quasi-Public for a future high school.

### Key Policy Issues

#### Consistency with the *San Jose 2020 General Plan* Major Strategies, Goals and Policies

The *San Jose 2020 General Plan* Major Strategies, Goals and Policies provide the "vision" for San José, particularly related to its future growth and development.

*Economic Development Major Strategy, Goals and Policies.* The City's economic development strategy strives to make San Jose a more "balanced community" by encouraging more commercial and industrial growth to balance existing residential development, by creating an equitable distribution of job centers and residential areas, and by controlling the timing of development.

The proposed amendment to convert the Evergreen Valley College site to Mixed Use with No Underlying Land Use Designation is consistent with the Economic Development Major Strategy, Goals and Policies in that development of the site would allow development of between 100,000 square feet (Task Force proposal) and 195,000 square feet (Developer and Staff proposal) of commercial/office. It is projected that this site could accommodate new neighborhood serving commercial based on a retail study commissioned by the City of San José in September 2005. City staff and consultants have

concluded that local-serving retail and professional office (e.g., medical and dental) development within the greater Evergreen area would provide the City with needed tax revenue. Such commercial development, while not compensating for the loss of potential Driving Industry jobs resulting from the reduction in Campus Industrial lands, would provide new mid-tier/household-serving industry employment opportunities.

Several community members, Task Force members and local businesses (Lunardi's, Cosentino's, Shapell, Canyon Creek Shopping Center) have consistently opposed the recommendation from the City commissioned retail study that the Evergreen Valley College site would be a good location for a traditional supermarket. Opposition is primarily based on the potential impact a new grocery store would have on the existing Lunardi's (Evergreen Village Center) and Cosentino's (Canyon Creek) grocery stores and their respective shopping centers. Lunardi's and Shapell Industries each commissioned their own private retail analysis, which concluded that a supermarket at the Evergreen Valley College site would likely be successful, but would result in the substantial decline in sales for Lunardi's and Cosentino's.

The Economic Development Goals and Policies strive to: 1) create more job opportunities for existing and future residents; 2) create a stronger municipal tax base by obtaining a greater share of the total industrial and commercial tax base; and 3) encourage a mix of land uses in appropriate locations.

The proposal to allow a mix of high density housing and new commercial/office development would be consistent with the Economic Development Goals and Policies in that the proposed development would allow up to 500 new dwelling units in a vertical or horizontal mixed-use configuration and thereby supporting/balancing the proposed housing with new jobs in the area.

Increasing opportunities for additional commercial/retail/office space would help alleviate some of the industrial conversion proposed as part of the EEHVS by creating alternate job opportunities and providing a tax base through retail and retail oriented services.

Additionally, the subject site is located in an area that is conducive to successful commercial/retail/office, given the proximity to and potential synergy with the Evergreen Valley College campus, location along the intersection of two major area roadways (San Felipe and Yerba Buena Roads), and a large supply of existing and proposed housing in the surrounding area.

*Growth Management and Greenline/Urban Growth Boundary Major Strategies.* The proposed amendment is consistent with the City's growth management and Greenline/Urban Growth Boundary major strategies in that the subject site is within the Urban Growth Boundary and Urban Service Area. The proposed mix of commercial/office and housing would add new development to an area with existing and planned infrastructure.

*Housing Major Strategy and Residential Goals and Policies.* The proposed amendment is consistent with the Housing Major Strategy in that it would provide additional opportunities for housing development within the City's Urban Service Area and the density range of the proposed amendment would likely result in a variety of housing types including higher density residential (i.e., attached townhomes, apartments) of which there has been very little new development in the Evergreen area. The proposed amendment furthers the residential land use policies that encourage distribution of higher residential densities throughout the community where historically single-family detached subdivisions have been built. The City's urban design policies encourage appropriate architectural and site design controls to protect the surrounding neighborhood and provide a proper transition/buffer from the

existing single-family developments to the north. Additionally the developers are proposing that up to 40% of the dwelling units be classified as affordable, moderate income housing consistent with the City's affordable housing goals.

*Sustainable City Major Strategy and Balanced Community Policies.* The Sustainable City Strategy is a statement of the City's commitment to becoming an environmentally and economically sustainable city. The purpose of the EEHVS and the subject General Plan amendment would be consistent with the Sustainable City Major Strategy in that the project is attempting to balance additional traffic congestion from increased development with new transportation improvements and community amenities beyond what the City would typically require. Additionally, in order to address this strategy's goal to efficiently use local resources, a set of Green Building guidelines are proposed as part of the update to the EDP.

The proposed General Plan amendment to change the land use designation from Public/Quasi-Public to Mixed Use with No Underlying Land Use Designation is consistent with the Balanced Community Policies in that the project is attempting to balance new commercial/office development with new residential development. The subject General Plan amendment is also consistent with the Balanced Community Policies in that it would provide varied residential densities and housing types with new transportation, bicycle and pedestrian facilities.

#### Consistency with the City Council's Vision and Expected Outcomes

On June 21, 2005 the City Council adopted ten Vision and Expected Outcomes for the Evergreen•East Hills Vision Strategy (EEHVS) process. The Vision and Expected Outcomes apply to the overall EEHVS project including the proposed General Plan Amendments and updated Evergreen Development Policy (EDP). The updated EDP is the policy vehicle for ensuring overall consistency with the Vision and Expected Outcomes. Detailed analysis regarding consistency with the Vision and Expected Outcomes is discussed in the staff report for the EDP.

#### Conversion of Public/Quasi-Public Land

The EEHVS Task Force has indicated that, as an alternative to their proposal, the Evergreen Valley College property should be considered as a potential site for a new high school. A decision regarding this proposal would result from future negotiations between the Evergreen Valley College and the East Side Union High School District.

It is also important to note that, despite any development capacity that may be allowed on this site through the proposed EDP update and this proposed General Plan amendment, Evergreen Valley College may choose to expand its existing educational facilities on this site without local jurisdictional authority, consistent with State law. Previous Task Force discussions regarding the distribution of affordable housing amongst the four opportunity sites have included the concept of concentrating affordable units on the Arcadia and Evergreen Valley College sites. This approach could be affected by any future decision by the college to abandon their plans to develop the site other than for educational purposes.

### **PUBLIC OUTREACH**



**Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater.  
(Required: Website Posting)

- ☐ **Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- ✓ **Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

As described in the public outreach section of the EDP staff report this project has conducted public outreach and community involvement that extends beyond the requirements of Council Policy 6-30: Public Outreach for Pending Land Use and Development Proposals.

## CEQA

An Environmental Impact Report (EIR), entitled *Evergreen•East Hills Vision Strategy Project*, was prepared for the proposed Evergreen•East Hills Vision Strategy and provides both program level and project level environmental review appropriate to address and evaluate the environmental impacts of the project appropriate for the adoption of the proposed General Plan amendments, modification of the Evergreen Development Policy, funding agreement, and subsequent Planned Development (PD) rezonings. The Draft EIR was circulated for public review and comment from February 3, 2006 to March 20, 2006.

The DEIR analyzed the EEHVS project and its environmental setting, identified potentially significant environmental impacts, and proposed mitigation measures to reduce significant impacts to less than significant levels where possible, for the following issues:

- |                              |  |
|------------------------------|--|
| 1. Land Use                  | 9. Geology                                       |
| 2. Transportation & Traffic  | 10. Energy                                       |
| 3. Noise                     | 11. Utilities and Service Systems                |
| 4. Biological Resources      | 12. Population, Jobs & Housing                   |
| 5. Cultural Resources        | 13. Hazards & Hazardous Materials                |
| 6. Hydrology & Water Quality | 14. Availability of Public Facilities & Services |
| 7. Air Quality               | 15. Alternatives to the Project                  |
| 8. Visual & Aesthetics       | 16. Cumulative Impacts                           |

The DEIR identifies certain impacts as “Less-than-Significant with Mitigation” with applicant-proposed mitigation regarding: Transportation & Traffic; Noise; Air Quality; Cultural Resources; Biological Resources; Geology; Hydrology & Water Quality; Hazards & Hazardous Materials; and, Visual & Aesthetics.

An EIR conclusion of, “Significant Unavoidable Impact” assumes that a project impact would exceed the City’s significance thresholds even with changes or mitigations included in the project.

The DEIR identifies as a, “Significant Unavoidable Impact” certain project impacts on: Land Use; Transportation & Traffic; Noise; Air Quality; Visual & Aesthetics; Energy; and, Population, Jobs & Housing.



The EIR identifies, “Significant Unavoidable Cumulative Impacts” for the project’s impacts on: Transportation & Traffic; Noise, Air Quality; Biological Resources; Visual & Aesthetics; and, Energy.

For certain of the project’s impacts on: Biological Resources; and Energy the EIR concludes, “Unless Mitigation is Determined to be Feasible & Made a Condition of Approval, Impact will be Significant & Unavoidable”.

## **CONCLUSION**

Staff’s recommendation incorporates the most efficient utilization of the College property, with a higher range of proposed residential development and proposed retail/commercial and office uses.

Planning staff recommends the Planning Commission forward to the City Council the following recommendation:

Amending the General Plan Land Use/Transportation Diagram on the Evergreen Valley College site as follows:

- Mixed Use with No Underlying Land Use Designation, incorporating the following:  
High Density Residential (25-50 DU/AC) for between 375 and 500 dwelling units; General Commercial for up to 95,000 square feet of office and up to 100,000 square feet of commercial (no full service grocery store); 2 acres of Public/Quasi-Public for a public library

Should the Planning Commission not support the proposed Evergreen Development Policy update and prefer that these development opportunities be considered as part of the upcoming General Plan update, then the Planning Commission should forward to the City Council a recommendation of no change to the General Plan.

Attachments

cc:

## Staff Recommended Text Amendment

Amend Appendix F, Mixed Use Inventory, page F-7:

Map Reference Number	Location	Amendment File Number	Use Mix	Use Intensity Range
<u>MU#22</u>	<u>North side of Yerba Buena Road, 350 feet easterly of San Felipe Road</u>	<u>GP05-08-01F</u>	<u>High Density Residential (25-50 DU/AC)</u>  <u>General Commercial</u>  <u>Public/Quasi-Public</u>	<u>Between 375 and 500 Dwelling Units</u>  <u>Up to 95,000 square feet of office; up to 100,000 square feet of commercial (no supermarket greater than 50,000 square feet)</u>  <u>2 acres for a public library</u>